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EXAMINER	
KIANERSI, MITRA	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/897,005	COBB ET AL.	
	Examiner	Art Unit	
	mitra kianersi	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claims 1-17 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky (US 2003/0018729) and further in view of Luzzi et al. (US Patent No. 6,175,832).

1. As per claim 1, Miloslavsky disclose a method of reporting availability of a plurality of servers, said method comprising the steps of:

-for each of said plurality of servers, periodically searching a log file for indication of a crash or shutdown or start; (Keyword: The Extractor may direct the parser to conduct a keyword search on the content of the e-mails. Examples of keywords are name of relevant products and services provided by the company, special words such as "bugs," "virus", "crash" (for software products), "overheat" and "electric shock" (for hardware products), and words of urgent nature (such as "urgent", "ASAP", and "fast"). [0028])

-computing the time said crash or shutdown or start occurred; (Time Stamp: Some e-mail contains the date and time an e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network problems [0027]).

-sending said time and indication as an e-mail to a database on a server; (For example, if an incoming mail is not answered by the selected support person within a predetermined

time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being.dropped. As another example, there may be times when the number of incoming mails exceeds the available resource to answer these mails (i.e., overflow). Router 116 could store these mails in a queue and direct e-mail server 102 to alert senders that it may take a little longer to receive a reply. It should be noted that if router 116, stat-server 112 and database 114 are designed strictly for e-mail applications, there is no need to have CTI server 130, formatter 210 and deformatter 214. In this case, router 116, stat-server 112 and database 114 can communicate with e-mail server 102 and information extractor 204 directly. [0042])
-calculating the duration of downtime for each said crash or said shutdown (for example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being dropped. [0042])
-for each server, sorting said e-mail by order received, (Time Stamp: Some e-mail contains the date and time an e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network [0027]). Miloslavsky fail to disclose displaying for each of said plurality of servers, said duration of downtime in said order. However, Luzzi et al. disclose a graph 700 in FIG. 7 where is generated by when a user fills out the template fields illustrated 707 along the bottom of the graph 700. The fields 707 include the AMA features to be displayed (response time and availability in the illustrated example), the server (or all servers as in the example) running the application program for which monitoring results are to be displayed and the time period for the monitoring, Col 16, lines 58-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Miloslavsky to Luzzie because Often the information sought by clients in a distributed computing environment resides in restricted or secured databases which may require special access codes or special seat licenses for access to the data therein. Content providers have been challenged to provide controlled and

authenticated access to these secure repositories in such a manner as to be transparent to the client computer while still ensuring the security of the data therein.

2. As per claims 2, 7 and 12, Miloslavsky disclose a method according to Claim 1, wherein:

-the sending step includes the step of sending said e-mail to a database on a pre-identified one server; (For example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being dropped. As another example, there may be times when the number of incoming mails exceeds the available resource to answer these mails (i.e., overflow). Router 116 could store these mails in a queue and direct e-mail server 102 to alert senders that it may take a little longer to receive a reply. It should be noted that if router 116, stat-server 112 and database 114 are designed strictly for e-mail applications, there is no need to have CTI server 130, formatter 210 and deformatter 214. In this case, router 116, stat-server 112 and database 114 can communicate with e-mail server 102 and information extractor 204 directly [0042]).

-the sorting step includes the step of sorting said e-mail by order received by said pre-identified one server. Time Stamp: Some e-mail contains the date and time e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network. [0027])

3. As per claims 3, 8 and 13, Miloslavsky disclose a method according to Claim 1, wherein:

-each of the plurality of servers includes an e-mail function; and One of the functions of adapter 110 is to provide conversion between e-mail attributes and telephony attributes. [0024])

-the sending step includes the step of, each server using its e-mail function to send the

time and indication to said database. (For example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being dropped. As another example, there may be times when the number of incoming mails exceeds the available resource to answer these mails (i.e., overflow). Router 116 could store these mails in a queue and direct e-mail server 102 to alert senders that it may take a little longer to receive a reply. It should be noted that if router 116, stat-server 112 and database 114 are designed strictly for e-mail applications, there is no need to have CTI server 130, formatter 210 and deformatter 214. In this case, router 116, stat-server 112 and database 114 can communicate with e-mail server 102 and information extractor 204 directly [0042]).

4. As per claims 4, 9, and 14, Miloslavsky disclose a method according to claim 1, wherein:

-the sending step includes the step of sending said e-mail to a database on e pre-identified one server; and For example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being dropped. As another example, there may be times when the number of incoming mails exceeds the available resource to answer these mails (i.e., overflow). Router 116 could store these mails in a queue and direct e-mail server 102 to alert senders that it may take a little longer to receive a reply. It should be noted that if router 116, stat-server 112 and database 114 are designed strictly for e-mail applications, there is no need to have CTI server 130, formatter 210 and deformatter 214. In this case, router 116, stat-server 112 and database 114 can communicate with e-mail server 102 and information extractor 204 directly [0042].

-the displaying step includes the step of, said one server, issuing a report showing said durations of downtimes. (The graph 700 in FIG. 7 is generated by when a user fills out the template fields illustrated 707 along the bottom of the graph 700. The fields 707 include the AMA features to be displayed (response time and availability in the illustrated example), the server (or all servers as in the example) running the application program for

which monitoring results are to be displayed and the time period for the monitoring. Miloslavsky fail to disclose displaying for each of said plurality of servers, said duration of downtime in said order. However, Luzzi et al. disclose a graph 700 in FIG. 7 where is generated by when a user fills out the template fields illustrated 707 along the bottom of the graph 700. The fields 707 include the AMA features to be displayed (response time and availability in the illustrated example), the server (or all servers as in the example) running the application program for which monitoring results are to be displayed and the time period for the monitoring (February 1998 in the example). Col 16, lines 58-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Miloslavsky to Luzzie because Often the information sought by clients in a distributed computing environment resides in restricted or secured databases which may require special access codes or special seat licenses for access to the data therein. Content providers have been challenged to provide controlled and authenticated access to these secure repositories in such a manner as to be transparent to the client computer while still ensuring the security of the data therein.

5. As per claims 5, 10 and 15, Miloslavsky disclose a method according to Claim 1, wherein:

-the searching step includes the step of, each of said plurality of servers, searching a log file on said each server for said indication; (Keyword: The Extractor may direct the parser to conduct a keyword search on the content of the e-mails. Examples of keywords are name of relevant products and services provided by the company, special words such as "bugs," "virus", "crash" (for software products), "overheat" and "electric shock" (for hardware products), and words of urgent nature (such as "urgent", "ASAP", and "fast") [0028]).

-the computing step includes the step of each of said plurality of servers computing the time said crash or shutdown or start of said each server occurred. (Time Stamp: Some e-mail contains the date and time an e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network problems [0027]).

6. As per claims 6, 11 and 16, Miloslavsky disclose a system for reporting availability of a plurality of servers, said method comprising:

-means for periodically searching, for each of said plurality of servers, a log file for indication of a crash or shutdown or start; (Keyword: The Extractor may direct the parser to conduct a keyword search on the content of the e-mails. Examples of keywords are name of relevant products and services provided by the company, special words such as "bugs," "virus", "crash" (for software products), "overheat" and "electric shock" (for hardware products), and words of urgent nature (such as "urgent", "ASAP", and "fast"). [0028].

-means for computing the time said crash or shutdown or start occurred; (Time Stamp: Some e-mail contains the date and time an e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network problems [0027]).

means for sending said time and indication as an e-mail to a database on a server; (For example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to another qualified and available support person. This strategy prevents mails from being dropped. As another example, there may be times when the number of incoming mails exceeds the available resource to answer these mails (i.e., overflow). Router 116 could store these mails in a queue and direct e-mail server 102 to alert senders that it may take a little longer to receive a reply. It should be noted that if router 116, stat-server 112 and database 114 are designed strictly for e-mail applications, there is no need to have CTI server 130, formatter 210 and deformatter 214. In this case, router 116, stat-server 112 and database 114 can communicate with e-mail server 102 and information extractor 204 directly [0042]).

-means for calculating the duration of downtime for each said crash or said shutdown; shutdown. (For example, if an incoming mail is not answered by the selected support person within a predetermined time interval (e.g., three days), the mail is re-routed to

another qualified and available support person. This strategy prevents mails from being dropped [0042]).

means for sorting, for each server, said e-mail by order received; (Time Stamp: Some e-mail contains the date and time an e-mail is sent. Extractor 204 could direct parser 206 to extract this information. This information may be more accurate than the time e-mail server 102 receives the e-mail because some e-mails may be delayed for more than a day due to network [0027].

-a display means for displaying for each of said plurality of servers, said duration of downtime in said order. Miloslavsky fail to disclose displaying for each of said plurality of servers, said duration of downtime in said order. However, Luzzi et al. disclose a graph 700 in FIG. 7 where is generated by when a user fills out the template fields illustrated 707 along the bottom of the graph 700. The fields 707 include the AMA features to be displayed (response time and availability in the illustrated example), the server (or all servers as in the example) running the application program for which monitoring results are to be displayed and the time period for the monitoring. Col 16, lines 58-65. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Miloslavsky to Luzzie because Often the information sought by clients in a distributed computing environment resides in restricted or secured databases which may require special access codes or special seat licenses for access to the data therein. Content providers have been challenged to provide controlled and authenticated access to these secure repositories in such a manner as to be transparent to the client computer while still ensuring the security of the data therein.

7. As per claim 17, Miloslavsky disclose a method according to Claim 16, wherein the group of conditions includes a crash of the server, a shutdown of the server, and a start of the server. (The Extractor may direct the parser to conduct a keyword search on the content of the e-mails. Examples of keywords are name of relevant products and services provided by the company, special words such as "bugs," "virus", "crash" (for software products), "overheat" and "electric shock" (for hardware products), and words of urgent nature (such as "urgent", "ASAP", and "fast") [0028]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (703) 305-4650. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mitra Kianersi
Sept/30/2004

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